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A Compleat

HISTORY

Of the Late

Septennial Parliament.

WHEREIN

All their PROCEEDINGS are particularly Enquir'd into, and faithfully Related ; with proper Remarks, and many Secret Memoirs interspers'd, concerning the late Times.

To which is Prefix'd,

Honest ADVICE to the Freeholders of
Great Britain.

The FOURTH EDITION, Corrected.

L O N D O N;

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THE
HISTORICAL
SOCIETY

OF THE
CITY OF BOSTON

RECORDS
OF THE
SOCIETY

FROM
1822
TO
1850

IN
THE
CITY OF BOSTON

AND
IN
THE
COUNTY OF SUFFOLK

MASSACHUSETTS

1850



P R E F A C E.



HIS Preface, to my History of the Septennial Parliament, is principally design'd for the Freeholders of England. And I hope, after what I have communicated to the Publick, there will be very little occasion for much to be said, to byass Them in the Choice of proper Representatives, at the approaching Election.

I think that they ought, in Justice to Themselves, to be very cautious in the Electing many of our late Representatives; I would have them well consider of their past Behaviour, before they venture to chuse them again: They have already done Mischief sufficient, and more than their Children, or even their Grand-Children, will ever see Remedied.

But as several Members of the last Parliament were made by the worst of Means; by Double and False Returns, by Bribery, and every thing else that could promise and foretell Miseries to the Subject, what could we expect but extraordinary and unprecedented Proceedings from Them?

*If, in the present Election, the like Measures should be taken, our future Parliament, instead of Retrieving the late Misconducts, will undoubtedly complete the Ruin their Brethren not only begun, but made such a Progress in: I must therefore warn all our Freeholders of this just Apprehension; and endeavour to rouse them from a Negligence
and*

and Supineness which may be otherwise fatal to these Kingdoms.

I am to tell Them, That if they put themselves on the Footing of Slavery, by Selling themselves, they must expect nothing less than Slavery, and than to be abject Slaves. That the Members of Parliament do not Buy without an intention of Selling them; and that, by means of Bribery and Corruption, they may Sell their latest Posterity (and many others) as well as themselves.

This should be well Weigh'd and Consider'd: And further, if they accept of Bribes, thro' the Necessity of the Times, this will, in a very short space, encrease their Necessities, because the Times will inevitably grow worse, by the Management of Corrupt Members; and none but Corrupt Members will offer them Bribes. And if Elections are publickly Bought in a certain Alley, may not our Liberties be as publickly Sold in a more Noted Place?

A great many Ill Men, will endeavour to squeeze themselves into Boroughs, in the present Election, to be thereby skreen'd

skreen'd from the just Resentment of an Injur'd People. I hope our Electors will be upon their Guard against these Men who are Enemies to the Publick. It will be a Step to Publick Justice to oppose Them, and a Justice to Themselves to spew Them out with Contempt and Ignominy.

Our Electors are in the Reverse Condition to the Wife of Lot: They have the last Necessity of looking back, at the same time They look forward; and They must not, like Watermen, Look one way and Row another; if they do, They will not, like them, escape the Rocks and Dangers in their Passage.

They must be Steady and Indefatigable in pursuit of what alone can make us a Happy People; in the pursuit of Honesty and Integrity. They must not be tempted by the Golden Apple; nor their Wives and Partners of their Cares be misled, to Influence Them, by the Intrigues of Men, who'll espouse them only till their Election is sure.

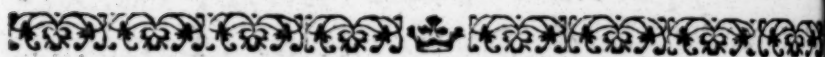
I shall wind up all with this short Advice to our Freeholders, and other Electors.

Electors. Let not such Members be Chosen, for the future Parliament, who are suspected of being Pensioners to a Court, or who are capable of being bribed into Silence. Let none that advanc'd the Septennial Law, have your Votes and Interests; the Mischiefs from hence are but too apparent. Those worthy Gentlemen who had provided us Barracks, and themselves Palaces, are by all means to be excluded. So are likewise our South-Sea Scheme-Men, and the Setters up of Bubbles; The Rejecters of Good Laws, and the Enacters of Bad ones. Let not those be Elected, who are the Skreeners of Villains, and Plunderers of the Publick.

Chuse such for your Representatives, who are fit to Represent you; such as are Honest, and Uncorrupted; such as have Estates and Possessions amongst you, too Great to be Lost; such as will attend the Business of the Kingdom, upon all Occasions; and such as will Repeal the Bad Laws the last Parliament enacted, and enact the Good ones they Rejected.

*Then will you acquit yourselves like Englishmen; like Lovers of your Country
and*

and of Yourselves; and secure to Posterity those Blessings, that will make your Names and Memories venerable to future Ages.



Lately publish'd (*from a correct Copy of the Secret Committee, as deliver'd into the Honourable House of Commons.*)

I. **T**HE several Reports of the Committee of Secrecy, relating to the South-Sea Directors, their Aiders and Abettors.

II. A Supplement to the said Reports; containing, A particular Account of the fictitious Stock; of the Management of the Loans; and an exact List of the Names of the Members, and others, to whom such Loans were made, and for whom the fictitious Stock was held.

III. All *Cato's* Letters complete; with a Preface in Vindication of those under the Examination of the Committee for Libels.

IV. Letters from the late Earl of SHAFTESBURY to the Lord Viscount MOLESWORTH, concerning the *Love of one's Country*, and the *Choice of a Wife*. With Two Letters written to his Lordship by the late Sir John Cropley. And a large Introduction by the Editor.



A TRUE
HISTORY
Of the *Septennial*
PARLIAMENT.



WHENEVER any Thing has happen'd, in any Age or Country, that is Memorable and extraordinary, whether it has a Tendency either to Good or Evil, it is no more than what

is common for some bold and faithful Historian to transmit it to Posterity.

That we have, in our Times, had great and extraordinary Events, none will be so bold as to deny : We have seen, and that fatally too, that every Thing may be in Danger under the plausible Appearance of, doing Good ; that Men of all Ranks and Degrees have, without Distinction, Plunder'd one another ; that the Widow and the Orphan have been totally
B despoil'd,

despoil'd, to add to the Grandeur of Publick Robbers; (for such I must term the Authors of our Miseries) that Honour and Honesty, in most Parts of the Globe, have nothing remaining but their very Names; and that even common Humanity is banish'd this Kingdom.

I do not wholly attribute this Depravity of Human Nature to the powerful Influence of the Parliament of *Britain*; but as Examples are in all Cases forcible, and incite Imitation, I cannot excuse our late Representatives; many of whom, have been justly prosecuted for unprecedented Crimes, some been imprison'd, some accus'd of Bribery, and many of Corruption; and if they have not met with the Punishment that has been their Due, it has not been owing to the Innocence of themselves, or of their Judges and Companions.

A general Corruption spread its baleful Qualities throughout the whole Body; they sported at the Calamities of the Persons they Represented; they Reliev'd their Fellow-Subjects, by taking farther from them; and, with some other Persons, they endeavour'd to dispose of the Remainder of their Properties; as if, to take away a Half or two Thirds of our Fortunes, were not enough, without stripping us of All.

So much Mischief has been done in one fatal Year, that a History of that alone would furnish a Volume; so black a Catalogue of Crimes, I am confident, never appear'd against any Set of Men, as some lately in Power; and tho' the *South-Sea* Directors were the apparent Actors in this national Tragedy, yet others were concern'd with them. We have had

L—ds

L—ds and C——ns accus'd of taking Bribes, who accepted of Stock, to pass a Law for the Ruin of their Country ; for what could it mean but universal Ruin, where a Company of Sharpers had an unlimited Power to act as they pleas'd, by Authority of Law.

I never knew 'till lately, nor I dare say any other, that an Act of Parliament of any Importance relating to the Publick, (as this was of the greatest) was wholly without one single Proviso, or Conditional Clause ; the Case of this Law. There was granted every where Power to cheat and defraud, and no where any Guard provided against it ; as tho' in the Affairs of Money, and of the Cash of a Kingdom, where there is the greatest Temptation to be Rogues, all were to be supposed to be honest Men, and not so much as one to be suspected.

If this Statute was drawn up by the *South-Sea* Directors, or any Council employ'd by them, and the Members of Parliament were actually brib'd into it (by the Acceptance of Stock, or otherwise) as one would think it might, there is no Infamy or Calumny so great as they do not deserve : And if, speaking more favourably, they were drawn into it, either by Surprise, or want of considering it, they are even then justly to be blam'd ; for the Consequence is the same, whether a Man, or a Society of Men, be robb'd of Possessions, either by the Design or Negligence of the Agents concern'd.

We read of an *Insanum Parliamentum*, in the Reign of K. *Hen. 3d* : But what Title will be due to the *Septennial Parliament*, beyond its common Acceptation, I leave the Members

themselves, as well as some future Historian, to judge. I do not say they were an Assembly of R—bb—rs, (such an Expression is too harsh for me to be guilty of) but if any other Persons had taken the same Pains to ease us of our Money, as they have done, we should have justly conferr'd the Title upon them. There is not a Man in the Kingdom (not let into the Secret) but has been a Sufferer by them; and the just Complaints and Petitions of the Injur'd, who have only Petition'd for their own, have been rejected with Scorn and Indignation.

It was never question'd, 'till in the late Times, that an injur'd and oppress'd Subject had a Right in a peaceable Manner to Petition for Relief, at least to those who were only Servants to the Publick: But alas! this has been disputed; and our Servants, whom we invested with Power to take Care of our Rights, Liberties, and Properties, have been the greatest Invaders of them; and instead of advancing, have prevented our Redress; which I think is apparent in the Case of the subscribing Annuitants.

Indeed, in the Upper House of Parliament, we have had Patriots, who have exerted themselves for the Publick Welfare, to their immortal Honour: A noble Peer, who lately adorn'd the highest Station in our Courts of Judicature, has shewn his Eloquence like a *Cicero*, tho' he had not *Cicero's* Success; but we have not now a *Roman* Age, or a *Roman* People, to expect it. He early Protested (join'd by many others, the true Protectors of our Liberties) against what was pernicious to the Publick, and which

occa

occasion'd the altering some of our Laws; but the great Law, (the Law of Ruin) which he gloriously oppos'd, it was not in his Power, after all his Endeavours, and arduous Struggles, to prevent or annul.

It is more to the Honour of this Noble Lord, and his glorious Associates, that they have made this Stand against the enacting of some Laws, than to be the Makers of all the Laws some Parliaments have pass'd, and particularly the late one, tho' it has been of longer Duration than any Parliament since that of the *Rump*, and the *Pensioner* Parliament, to which, its Proceedings, in many Instances, may be justly compar'd.

But when I give myself a Liberty of speaking of the *Septennial* Parliament, I would not be thought to mean every Member of it. There were several very honest well-meaning Gentlemen in it, (and some I could particularly mention) who would not, on any Terms be the Authors of Miseries to their Fellow Subjects; but these were but few in Number, and (what has been the greatest Excuse to them) there always appear'd a great Majority against them.

Yet so much have our Parliaments in general in this Age degenerated from their ancient Constitution, that as formerly they were compos'd of all Men of Honour, Honesty, and Integrity, and Patriots for their Country's Service, we have lately seen a Member of the House of Commons, convicted at a Bar of Justice, of the highest and blackest Frauds; one suppos'd to be a Confederate with Highwaymen and Pick-pockets; from whence one might
imagine,

imagine, that some of the excellent Qualities instill'd into the Pupils of the famous *Jonathan Wild*, were a necessary Qualification for a M——r of P——t.

For what is as strange, as the other is monstrous, our Houses of Parliament have suffer'd one thus convicted of Frauds and Deceits, to have the Honour to sit with them, without voting his Expulsion, which is a sufficient Scandal to that August Assembly; tho' I do not pretend to insinuate from this, that they are all equally guilty with the Criminal condemn'd, whatever Construction may by some Persons be put upon their Silence.

If punishing the Guilty, be an Argument of Innocence in the Persons condemning, this should have been done: And I for my Part, if I had been a Representative of the *Septennial* Parliament, and were to have sat in the House but three Hours longer, I should not have been easy 'till I had voted an Expulsion of an unworthy Member, who was a Reproach to the whole; I should have endeavour'd to sit at least two of the Hours, free from the Imputation of looking over Crimes.

A Negligence of this kind is undoubtedly criminal; Crimes are inferr'd from it; and it certainly behoov'd every Member of the House of Commons, whether Guilty or not of Offences of the like nature, to have excluded him their Body; because without it, they not only bring a Disgrace upon themselves, but also upon future Parliaments which shall be their Successors.

We havee experienc'd Negligences of Omission as well as Commission: We have had
slender

flender Houses on the greatest Debates, in Matters of the greatest Importance; some Members have withdrawn for one Reason, some for another; some out of a Consciousness of their own Guilt; some to serve some Great Person; others in Expectation of Places and Preferments, and others perhaps for M——. It is not long since that above Sixty withdrew in the Space of a Day, when a Case of Bribery, laid to the Charge of a Minister of Justice, was tried at their Bar.

Oh *England*, what wilt thou come to, if the Executioners of thy Laws, and those who ought to be the Punishers of Crimes, are found to be guilty, and the Promoters of them! But what can we say, when Bribery is so common, as to have little or no Notice; like a beauteous prostituted Whore, who by Custom becomes fashionable, and the Object of Esteem in a degenerate Age. Whether this be a proper Allusion I submit to the Dabblers in Elections, who Buy their Seats in the Parliament House, in order to Sell their Country, and Stock-job Boroughs in *Exchange Alley*, with no other Views than to secure to the Purchasers, a National Plunder, or Places of Profit at the Publick Cost.

As to what has happen'd for some Years past, great have been the Artifices used to make Corruption Universal; one Member of Parliament has endeavour'd to corrupt another, to justify his own Conduct; as if by Numbers of Guilty, Innocence were preserv'd: One has laugh'd at another who has been less in the Mire than himself, and at all Times given his Help in Hand to plunge him into Circum-

Circumstances equal with himself: And Honesty and Plain Dealing have been so long ridiculed, that, besides the Jest of it, Ruin and Destruction are the general Attendants that wait upon them.

This is a melancholly Reflection, and very discouraging to all honest Spirits; it makes Life almost a Burthen to a Religious and even a Moral Mind; but such is our Case, and it must be submitted to; tho' not upon the whole, to be imputed to our Senators; but this I must own, they have had a very great Share in these direful Misfortunes, which have rush'd in upon us like a Torrent, and overset every Thing.

Thus much as an Introduction to what I have to say: I shall now examine into the several Proceedings of the *Septennial* Parliament, which will set what I have asserted in a clearer Light, and make appear particularly what our great Representatives have done for the Publick Benefit, and what they have done with more Private Views; what they have design'd in Favour of Liberty, and what they have done against it; what they have transacted to Favour Religion, and in what they have check'd it; and lastly, what has been Enacted with the Wisdom of Senators, and what has been done thro' Ignorance or Error.

Upon the Accession of King *George* to the Crown, * ' His Majesty was concern'd, to find
' the Publick Affairs of the Kingdom under
' the greatest Difficulties, as well in respect of
' Trade

* Proclamation for calling a new Parliament.

Trade, as of the Great Debts of the Nation, &c. (since happily remov'd.) Whereupon a new Parliament was call'd; and in the first Year of his Reign a great many Statutes were Enacted: The first Act was for the better Support of the Household; it granted the Duties of Excise upon Beer, Ale, and other Liquors, that were granted to King *Charles II.* King *William* and Queen *Mary*, and the late Queen, to his present Majesty: And to extinguish the Hopes of the *Pretender* and his Friends, it order'd a Reward of 100,000 *l.* to any Person who should seize and secure the Person of the *Pretender*, whenever he should Land, or attempt to Land, in any of his Majesty's Dominions.

This was the first Law made in this Reign; and I have no Comment on the Christian Usage of setting a Price upon any Man's Head, tho' it may be here expected from me. The first Laws enacted by the *Septennial Parliament* were for granting an Aid to his Majesty, to be rais'd by a Land Tax of 2 *s* in the Pound, for the Service of the Year; and for charging and continuing the Duties on Malt, Mum, Cyder, &c. And these were necessary for the Support of the Honour and Dignity of the Crown on his most excellent Majesty's coming to the Throne.

Other Statutes were for further Limitation of the Crown; for the better regulating the Forces; for preventing Mutiny and Desertion; for the further Security of his Majesty's Person and Government, and the Succession of the Crown; for making the Militia more useful; for Payment of Arrears for Work and Materials

terials in the Building *Blenheim House*; for the Attainder of *James Duke of Ormond*, *Henry Viscount Bolingbroke*, and others, of High Treason; for encouraging all Superiors, Vassals, Landlords and Tenants, in *Scotland*, who shall continue Loyal to King *George*, and discouraging those as shall be guilty of *Rebellious Practices*; for enabling his Majesty to settle a Revenue of 50,000 *l. per Annum*, (to be paid out of the Revenues of the Post Office and the Duties of Excise) on her Royal Highness the Princess of *Wales*, in Case she shall Survive his Royal Highness the Prince: The Revenue of the Prince, as first settled by Parliament was 100,000 *l. a Year*, out of the Duties of the Post Office, &c. And out of the Subsidies of Tonnage and Poundage, the King has 700,000 *l. a Year* allow'd him for Supporting of his Household:

Besides these Laws, many others were enacted; as for enlarging the Capital Stock of the *South-Sea Company*; for appointing Commissioners to take, examine, and state the Debts due to the Army; to prevent Disturbances by Seamen and others, and to preserve Naval Stores; to empower his Majesty to secure and detain Persons suspected to be conspiring against his Government, to indemnify such Persons who acted in Defence of his Majesty's Person and Government, and for the Preservation of the Peace, in the Time of the Rebellion, from Suits and Prosecutions; to appoint Commissioners for Enquiring into the Estates of Traitors, and Popish Recusants, and to raise Money out of them for the Use of the Publick, &c.

But

But the most extraordinary Laws that were made during this Session of Parliament, were, the Statute for Repealing so much of the Act of the 12 & 13 of King *William*, entitled, An Act for the further Limitation of the Crown, and better Securing the Rights and Liberties of the Subject, as enacts that no Person who should come to the Possession of the Crown, shall go out of the Dominions of *England*, *Scotland* or *Ireland* without Consent of Parliament; the Act for the more easy and speedy Trial of such Persons as have levied, or shall levy War against his Majesty; and an Act for preventing Tumults, and riotous Assemblies.

By the former of these Laws, the Restraint on the Prerogative, which oblig'd the King to a constant Residence amongst us, is taken off; so that his Majesty may at his Pleasure, at any Time, go into his Foreign Dominions, or into any other Country, without any Account to, or Leave of his Parliament; which in general Opinion has very much contributed to the Impoverishment of the Cities of *London* and *Westminster*, and doubtless had a different Effect as to some other Towns and Cities Abroad. By the Second of these Statutes, Persons guilty of Treason, and who were in Arms in the Rebellion, were to be tried for the same before such Commissioners, and in such County as his Majesty should appoint; whereas before this Law, the Offenders were to be tried in the County where the Fact was committed, by Jurors of the same County, who were suppos'd to be the best Judges of the Fact committed, it being within their Knowledge: And by the last of the Laws I have

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mention'd,

mention'd, the Riotors were executed in *Salisbury Court*, as guilty of Felony, who, before this Law, would have been only Punish'd with Fine and Imprisonment.

How far these Statutes, with the Act for enlarging the Time of Continuance of Parliaments from Three Years to Seven Years, (also pass'd in the First Session of the *Septennial* Parliament) have alter'd our Constitution, and the Rights and Liberties of the Subject built upon former Laws, is too obvious for me to expatiate upon. It was expected from our great Legislators, after a temporary Use of extraordinary Laws, made on an extraordinary Occasion, that when the Occasion ceas'd, the Laws would also cease, but this has been forgotten.

In Respect to the latter, frequent Parliaments are not only our ancient Constitution, but give the greatest Check to a Designing Ministry; it makes them act with the greatest Precaution; their own Safety requires it; for tho' they may be acquitted by one *British* Parliament, they may not by another. Besides, it has been well observ'd, that a Parliament Trust is too great to be long repos'd in any Man living.

In the 2d Session of the *Septennial* Parliament, few Acts were made. A Land Tax of 4 s. in the Pound, was granted, and the Duties on Malt, Mum, &c. for the Service of the Year, continued: Several Laws were enacted for redeeming the Yearly Funds of the *South Sea Company*, and the *Bank of England*; and settling on those Companies other Yearly Funds after the Rate of 5 l. per Cent. per An-

sum, redeemable by Parliament; and for obliging them to advance further Sums to the Government. There were also made, An Act for the better Regulating of Pilots for the conducting of Ships up the River of *Thames*; for the better Preservation of the Game; for the better enabling Sheriffs to sue out their Patents and pass their Accounts; and an Act for the King's most gracious, general, and free Pardon.

The last mention'd Law runs thus: *All his Majesty's Subjects, as well Spiritual as Temporal, of the Realm of Great Britain, their Heirs and Successors, and all Cities, Boroughs, Shires, &c. shall be by the Authority of this Parliament, acquitted, pardoned, released and discharged, against the King, his Heirs and Successors, from all Treasons, Misprisions of Treasons, Felony, treasonable and seditious Words and Libels, seditious and unlawful Meetings, and all Offences of Premunire; and also from all Riots, Routs, Contempts, Trespasses, Wrongs, Deceits, Misdemeanours, Forfeitures, Penalties, Pains of Death, Pains Corporal and Pecuniary, and generally from all other Things, Causes, Quarrels, Suits, Judgments and Executions, in this Act not Excepted, which have been committed, incur'd, or forfeited before the 6th of May, 1717.*

The Exceptions in the Act extend to all such as were, on the said 6th of May, in the Service of the Pretender; all who had levied War against his Majesty, &c. All voluntary Murders, petit Treasons, and wilful Poisonings, burning of Houses, Piracies and Robberies on the Seas, Burglaries and Robberies, Sodomy and Buggery, Rapes, Perjury, Forgery, &c.

&c. And also particularly, as to Persons, to *Robert Earl of Oxford, Simon Lord Harcourt, Matthew Prior, Thomas Harvey, Arthur Moor, &c.* Esqs; and all those who had been Impeach'd in Parliament, before the 6th of May, 1717, whose Impeachments remain'd undetermined.

The Exception of Persons in subsequent Statutes I think has been omitted; nor, by what has happen'd since, is it thought any Reflection on them, that they were ever inserted in any Exception: The Acquittal of the Earl of *Oxford*, after impeach'd by Parliament, and brought on his Trial, by a Disagreement of the two Houses, especially of the Commons, as to the Form and Manner of the Prosecution, sufficiently justifies the Conduct of that Earl, or sufficiently blackens the Characters of others; for it cannot be suppos'd that the Niceties of Form only, should permit a Traitor to his Country to pass with Impunity in that High Court of Justice, unless there were some other Artifices used to Skreen him from Punishment, such as 'tis said have been lately practis'd with great Success.

Some will have it to be occasion'd by a Disgust the chief Manager against him took at a Disappointment he met with in the satisfying his Desires after Places and Preferments, (since Liberally conferr'd on him and his Family, even to almost One Hundred Thousand Pounds a Year Revenue) but I take it to be a different Cause; and that no Opportunity but the Want of Matter sufficient for Conviction of Treason, gave the Occasion of the Acquittal of the Earl abovemention'd. But

But what may be the Reflections on this extraordinary Event? the Ax was carried before the Offender, not to be Used, but to Amuse; to Blacken, not to Execute; to Mock the most August Court of Judicature in the World; or to convince Mankind that the sharpest Edge of the most destructive Instrument, in the Hand of Justice, may be blunted by Metal more soft, and of a different Hue.

The 3d Session of this Parliament began with a Land-Tax, the usual Business, of three Shillings in the Pound: The Statute for Continuance of the Duties on Malt, &c. and for appropriating the Supplies granted in this Session of Parliament. And an Act was pass'd in this Session, to enable his Majesty to be Governor of the *South-Sea* Company: The Statute enacts, that his Majesty is and shall be capable of being and continuing Governor of the *South-Sea* Company for such Time or Times as are prescrib'd by the Charter granted to the said Company for the Continuance of any Governor therein: And his Majesty is exempted from the Oaths necessary to qualify a Subject to be Governor of the said Company; and all other Acts, unless it be relating to his Majesty's Share of the Capital Stock. Thus was his Majesty Qualify'd to be at the Head of a Set of Men, who have plunder'd the Publick.

The other Acts of this Session, were for Punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters: For vesting the Forfeited Estates in Great Britain and Ireland in Trustees, to be sold for the Use of the Publick: For empowering the Commissioners appointed to put in
Execu-

Execution the Act of the 9th and 10th Year of Queen *Anne*, for building Fifty New Churches in and about the Cities of *London* and *Westminster*, to direct the Parish-Church of *St. Giles's* in the *Fields*, in the County of *Middlesex*, to be re-built instead of one of the said Fifty New Churches : And an Act for the further preventing Robbery, Burglary, and other Felonies, and for the more effectual Transportation of Felons.

The first of these Statutes is a Temporary Law, often renew'd, as the Exigency of Time requires it, to regulate that Body of Men who are the Guardians of our Liberties, next to the Laws, and the great Bulwark of the Protestant Succession, on which our Hopes (by no Means frustrated) have so much depended. The second mention'd Statute has indeed very well ordain'd, that the Forfeited Estates should be vested in Trustees, viz. *Richard Grantbarn*, Esq; *George Treby*, Esq; *Arthur Ingram*, Esq; *George Gregory*, Esq; *Sir Richard Steele*, *Sir Henry Houghton*, *Patrick Haldane*, Esq; *Sir Thomas Hales*, *Robert Munroe*, Esq; *Henry Cunningham*, Esq; *Denis Bond*, Esq; *John Birch*, Esq; and *Sir John Eyles*, to be sold for the Use of the Publick. But *Quere* how much of the Money arising by the Sales of these Estates, has been hitherto appropriated to any publick Use? I do not remember that any particular Disposition of this Money has been made by Parliament; and till this appears, the Publick has a Right, if not to enquire into it, at least to expect that it should be thus dispos'd of. The third mention'd Statute I have no Comment upon, further than to observe that it was not intended

by the Act of Queen *Anne*, that fewer than Fifty New Churches should be built in this City: But she was truly Religious, and for encouraging the Church, which is more than can be said of all our Princes.

As to the Act for Transportation of Felons, it is the only good Law that has been made by the *Septennial* Parliament, which is put in Execution: It has freed us from a great many Robbers, Thieves, and Pick-pockets, who have been taken in the Facts; but the greatest Robbers, the Robbers of the Publick, have escap'd this Law; and if instead of it, an Ordinance had been made for Transportation of the Parliament, before the Year One Thousand Seven Hundred and Twenty, it would have been happy for this Nation: We should then have escap'd the general Calamity.

Transportation is the least a great many of our Members have deserv'd at our Hands; some have deserv'd more; many late Offenders have ended their Lives ignominiously at the Gallows, by far less Criminal, and who have been driven to a Necessity of extraordinary Means for the Support of Life, thro' the extraordinary Conduct of some Persons, who, deserving the like Punishment, are in the Possession of Titles and Honours, Affluence and Plenty, and feed luxuriously on the Spoils of the Widow and Orphan. But the Poet has observ'd,

*That little Villains must submit to Fate,
That Great Ones may enjoy the World in State.*

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The Statute for Transportation of Felons, requires particular Notice, as it is a Law for the Publick Benefit ; wherefore I insert an Abstract of the most material Part of it. By this Statute, *It is enacted, that where any Persons have been convicted of any Offence within the Benefit of the Clergy, and are lyable to be Whipt or Burnt in the Hand, or have been order'd to any Work-House, before a certain Time : As also where any Persons shall be hereafter convicted of Grand or Petit-Larceny, or any Felonious Stealing of Money, or Goods and Chattels, either from the Person or the House of any other, or in any other Manner, and who by Law shall be entitled to the Benefit of Clergy, and liable only to the Penalties of Burning in the Hand or Whipping, (except Persons convicted for Receiving or Buying Stolen Goods knowing them to be Stolen) it shall be lawful for the Court before whom they were convicted, or any Court held at the same Place with like Authority, instead of ordering such Offenders to be Burnt in the Hand or Whipt, to order that they shall be sent to some of his Majesty's Plantations in America for Seven Tears ; and that Court before whom they were convicted, or any subsequent Court held at the same Place, with like Authority as the former, shall have Power to Transfer, and make over such Offenders, by Order of Court, to the Use of any Persons and their Assigns, who shall contract for the Performance of such Transportation for Seven Tears : And where any Persons shall be convicted or attainted of any Offences, for which Death by Law ought to be inflicted, and his Majesty shall extend his Royal Mercy to such Offenders, on Condition of Transportation, to any Part of America ; on such Intention of Mercy being signify'd by one of the principal*

Secre.

Secretaries of State, It shall be lawful for any Court, having proper Authority, to allow such Offenders the Benefit of a Pardon, under the Great Seal, and to order the like Transportation to any Person, who will contract for the Performance, and to his Assigns, of any such Offenders, for the Term of Fourteen Years, if the Condition of Transportation be general, or else for such other Term as shall be made Part of the Condition, if any particular Time is limited by his Majesty: And the Persons contracting, or their Assigns, shall, by Virtue of such Order of Transfer, have a Property in the Service of such Offenders for such Terms of Years.

Persons convicted of Receiving or Buying Stolen Goods, knowing them to be Stolen, are liable to Transportation for Fourteen Years: And if any Offender order'd to be Transported for any Term of Seven or Fourteen Years, or other Time, shall return into Great Britain or Ireland, before the End of his Term, he shall be punish'd as a Person attainted of Felony without Benefit of Clergy, and Execution shall be awarded accordingly. But his Majesty may at any Time pardon the Transportation, and allow of the Return of the Offender, he paying his Owner a reasonable Satisfaction.

In the 4th Year of the Septennial Parliament, a great many Laws were enacted, both Publick and Private. The first, of a Publick Nature, was for granting a Land-Tax of three Shillings in the Pound: The next for continuing the Duties on Malt, Mum, Cyder, &c. for the Service of the Year: And for applying of Monies to be rais'd by Way of Lottery: And these are succeeded with an Act for strengthening the Protestant Interest in these Kingdoms:

An Act for Punishing Mutiny and Desertion, and the better Payment of the Army : And an Act for Quieting and establishing Corporations.

The Act for strengthening the Protestant Interest, is plac'd in our Statute-Books under the Head of Religion, and was made for repealing Part of a Law made in the 10th Year of the Reign of Queen *Anne*, and of another Law made 12^o *Anno* of the same Reign : One was entitled an Act for Preserving the Protestant Religion, by better securing the Church of *England*; and the other for Preventing the Growth of Schism : The former enacted, that if any Person, who had any Office, Civil, or Military, or who receiv'd any Pay or Salary, by Patent or Grant from the Crown, or who should receive any Fee or Wages of the Queen, her Heirs or Successors, or should have any Place of Command or Trust in *England*, &c. or be admitted into any Employment in the Household; or if any Magistrates of a Corporation, who by the 13 & 25 *Car.* 2. or either of them were oblig'd to receive the Sacrament, Should, after their Admission into their Offices, or after having such Patent or Grant, or Place of Trust, and during their Continuance in such Office, be present at any Conventicle for the Exercise of Religion, at which there should be ten Persons or more assembled, or should be knowingly present at any Meeting where the Royal Family should not be pray'd for in express Words, tho' the Liturgy of the Church of *England* were us'd, they were to incur a Penalty of 40*l.* and be disabled to hold any

any Office or employment whatsoever. This was what was call'd the Act of Conformity.

The Law against Schism ordain'd, that if any Person should keep any publick or private School or Seminary, or teach any Youth as Tutor or Schoolmaster, before he should have subscrib'd the Declaration of 14 Car. 2, (*viz.* That he would conform to the Liturgy of the Church of *England*) and should have obtain'd a License from the Archbishop or Bishop of the Diocess, he should be committed to the common Goal for three Months. Persons keeping Schools, were also to receive the Sacrament of the Church of *England*, to take the Oaths, and subscribe the Declaration against Transubstantiation; And they were not to resort to any Conventicles or Meetings.

These were the Laws relating to the Church of *England*, made by Queen *Anne*; and repeal'd by the 5 Geo. It seems the Protestant Interest was to be strengthen'd by annihilating a Law made for preserving the Protestant Religion, and better securing the Church; and of a Law against Schism, which did not extend, as to Seminaries of Learning, to the Tuition and Teaching of Youth in Reading, Writing, or Mathematical Learning in the *English*-Tongue.

I have mention'd thus much of the Statutes made in the late Reign, to shew to the Reader what 'tis as has been repeal'd, that he may the better judge of the Conduct of the *Septennial* Parliament in this Particular, and see what was our Law before it was alter'd. But this must be said in Behalf of our Parliament, in the second Section of the Act of Repeal, they enact-

enacted, That if any Mayor, Bailiff, or other Magistrate of a Corporation, shall resort to, or be present at any publick Meeting for Religious Worihip, other than the Church of *England* as by Law establish'd, in the Gown or other peculiar Habit, or attended with the Mace or Ensigns of his Office, every such Mayor, &c. being thereof convicted, shall be disabled to hold such Office or Employment, and be adjudg'd incapable to bear any publick Office.

The Act for Quieting Corporations, was made on a Neglect of taking the Oath and subscribing the Declaration of the solemn *League and Covenant*, (disus'd for many Years, tho' requir'd by the Act 13 *Car.* 2.) to confirm Members of Corporations in their Offices, notwithstanding the Omission to take the said Oath or to subscribe the said Declaration; and to indemnify them from all Incapacities, Disabilities, and Forfeitures, arising from such Omission. It also repeals so much of the Statute as requir'd the taking the said Oath and subscribing the Declaration. The Objection to this Omission, was first started by a cunning Attorney in the West, to make his Terms with the Officers of a certain Corporation, with whom he was at Variance: And he carry'd his Point, having prov'd, that by the Omission of a Part of their Qualification, the Acts of all the Corporations in *England* were Null and Void.

By this Law in Favour of Corporations, it is also ordain'd, that all Members of Corporations, and every Person in Possession of any Office at the Time of making this Statute, requir'd

quir'd by the said Act of 13 Car. 2. to take the Sacrament according to the Church of *England*, within one Year next before their Election, shall be confirm'd in their several Offices, notwithstanding their Omission to take the said Sacrament, and be indemnify'd from all Incapacities, Disabilities, &c. And none of their Acts shall be question'd or avoided by Reason of such Omission.

The further Acts of this Session of the *Septennial* Parliament, are, An Act for continuing Duties upon Coals, &c. for establishing certain Funds to raise Money, as well to proceed in the Building of new Churches, as also to compleat the Supply granted to his Majesty: An Act against Clandestine Running of Uncustom'd Goods, and for preventing of Frauds relating to the Customs: An Act to continue the Commissioners appointed to examine, state, and determine the Debts due to the Army, and to examine and state the Demands of several foreign Princes and States for Subsidies during the late War: A Statute for the better securing the lawful Trade of his Majesty's Subjects to and from the *East-Indies*: An Act for recovering the Credit of the *British* Fishery: Acts for preventing Mischiefs which may happen by keeping too great Quantities of Gunpowder in or near the Cities of *London* and *Westminster*; for Prevention of Inconveniencies arising from seducing Artificers into foreign Parts; for the better preventing Frauds committed by Bankrupts; for making more effectual the Laws for Discovery and Punishment of Deer-Stealers; and the several
Statutes

Statutes for Repairing and Amending the Highways of this Kingdom.

The Law for recovering the Credit of our Fishery, was a well design'd Law ; but why did not our Parliament examine into this sooner? When a Trade is wholly lost, it is then too late to make Laws for its Preservation ; which I fear is the Case of the *British* Fishery. The Statute for preventing the seducing of Artificers into foreign Parts, might be also a good Law ; but unless our Artificers are encourag'd at home, no one can blame them for going abroad : If they are here Starving, thro' the Badness of the Times, (as I am very apprehensive too many are) they are then under a Necessity of going into those Parts of the World, howsoever remote, where they can acquire a Subsistence in Life : And as to the Law against Bankrupts, it has been found to be necessary, when we have a large Army of these Sorts of People, and it has been justly observ'd, that it is almost unfashionable not to be a Bankrupt.

Our Parliament, in this Session, shew'd themselves industriously inclin'd to the Preservation of the Game, particularly of Deer ; expecting, I presume, soon to enlarge their Landed Territories, out of the Plunder of their Fellow-Subjects; (for we are now advancing to the fatal Annal) they enacted, *That if after the 1st of May 1719, any Person shall enter any Park, Pad-dock, or other enclosed Ground, where Deer are usually kept, and wilfully wound or kill any Red or Fallow Deer, without the Consent of the Owner, or Person entrusted with the Custody of such Park, &c. or shall be assisting therein ; on his being indicted* for

for such Offence, before any Judge of Goal Delivery for the County wherein such Park shall be, and Conviction thereof by Verdict or Confession, he shall be sent to some of his Majesty's Plantations in America for 7 Years : And the Court before whom he shall be convicted, or any subsequent Court, held at the same Place, with like Authority, shall have Power to Convey, Transfer, and make over such Offender, by Order of Court, to the Use of any Person, who shall contract for the Performance of such Transportation.

If the Keeper, or other Officer, of any Forest, &c. where Deer are usually kept, shall be convicted on the Statute 3 & 4 W. & M. for Killing or Taking away any Red or Fallow Deer, or for being aiding therein, without Consent of the Owner, or Person chiefly entrusted with the Custody of such Forest, &c. he shall forfeit 50 l. for each Deer so kill'd, to be paid by Distress : And for want of Distress, he shall be imprison'd for 3 Years, without Bail or Mainprize, and be set on the Pillory two Hours, on some Market Day, in the Town next the Place where the Offence was committed.

By these Clauses, in this Law, we may see how careful our Representatives have been as to the Preserving of Beasts *Fære Naturæ*, originally in common to Mankind, and which all had a Property in. I do not question the Authority of our Senate in making of Laws, but those Things wherein the People had an original Right, they will think hard to be taken from them, without parting with that Right in a Manner agreeable to the general Disposition of Property.

So careful, I say, have our Members of Parliament shewn themselves in a Case of Diversion chiefly, and a disputed Property; They have made Transportation, Fines, and Imprisonment, the Punishment of Offences in the Injury of Beasts, (nay, some have gone farther, by proposing it to be Felony to kill any Sort of Game) when they have entirely neglected the highest Concern of the Nation; a Concern relating to the Lives, the Fortunes, and establish'd Property of Human Species, and their Fellow-Subjects, who chose them for their Representatives.

This will sound but illy to Posterity; and to shew that this blessed Parliament delighted in Trifles attended with Mischiefs; as well as in Matters of Moment that were fatal, I shall here insert a Part of the Statute made for the more effectual amending of the Highways. *It is enacted, That no travelling Waggon, shall have the Wheels bound with Streaks or Tires of a less Breath than two Inches and a Half, when worn, on Pain of forfeiting all the Horses above three in Number, with all the Geers, Tackle, &c.*

By Virtue of this Law, all our Waggoners in England, who travell'd for Hire, were immediately obliged to furnish themselves with new Waggon, to avoid the Penalties, and carry on their Business: They were forced to part with their old Waggon, experienced to be good, and perfectly useful, for any Thing they could get; and to take up with new Waggon that were considerably worse for their Service, at the dearest Prizes; And at the same Time,
limited

limited to the same Number of Horses as before, tho' adding to the Breadth of the Wheels makes a very great Difference on this Account; and all this was done to satisfy the Revenge of a Member, who had the woful Misfortune of pitching his Head into a Mire, in a Road which was never known to be good.

It is by this Statute our Waggoners, and inland Traders, who have Dependence upon them for the Carriage of their Goods, have been liable to great Hardships and Expences, without any Redress, tho' they lately petition'd our wise Law-makers to take their Case into Consideration.

Before I quit this Session of Parliament, I am to take some Notice of the *Peerage-Bill*, brought into the House of Lords, for limiting the Number of Peers, to sit in that House. This Subject employ'd all Conversations, for a considerable Time, and made so great a Noise in Town, that many were the Pamphlets, that were written for and against it: The Court was for this Bill, which was a Politick Game the Publick could not well understand, for it was parting with a Branch of the Perogative; the Lords you may be sure join'd with the Court, as it might be a Means of preserving the Dignity of the Peerage, and the Commons vigorously oppos'd both, for They expected Themselves all to be Lords; so that the Bill, after many Debates, dropt in its Progress.

A great many discerning Persons were Sticklers for this Bill, who were of neither House of Parliament, because they apprehended ill
Con-

Consequences from the encrease of the Number of our Peers : (above sixty Promotions to the Peerage having been already made in this Reign) By that noble Body's growing too Great, the Commons of *England*, who ought to be the Protectors of our Liberties, may be in Danger of losing their Rights and Privileges, and other Inconveniencies may ensue, which at the Time of this Bill was foreseen ; tho' 'tis likely the Court had another Reason for their advancing a Law of this Nature, not proper to be mention'd when we have a Successor to the Crown now amongst us.

The History of the Particular Debates on this Bill, is too long to be inserted in this Treatise ; I shall therefore omit it, and proceed to that Annal of our *Septennial Parliament*, which will sound dreadful to Posterity the fatal Year 1720.

The 5th Session of the *Septennial Parliament*, began with a Land Tax of three Shillings in the Pound ; an Act for continuing the Duties on Malt, Mum, Cyder, &c. A Statute for laying a Duty on wrought Plate ; An Act for the prevention of Frauds in the Revenues, Excise, Post-Office, &c. A Law for punishing Mutiny and Desertion ; and an Act to appoint Commissioners to examine, state, and determine the Debts due to the Army.

But the greatest Act of this Session, was the Act for enabling the *South-Sea Company* to Increase their Capital Stock and Fund, by Redeeming publick Debts ; and for raising Money, to be apply'd for lessening several of the publick Debts and Incumbrances. It recites that the

Commons

Commons being desirous to lessen the publick Debts, as fast as might be, and that the publick Duties might be settled so that the *South-Sea Company's* Annuity or yearly Fund, for their then present and to be encreas'd Capital, might be continu'd to *Midsummer*, 1727, and afterwards reduc'd to four Pounds *per Cent.* and thenceforth be redeemable by Parliament, Did grant that the Rates of Excise, and Duties on Pepper, &c. granted in the Reign of Queen *Anne*, and the Duties on Coals granted 5 *Geo.* should be continu'd and made perpetual, to secure to the *South Sea Company*, the Payments intended to be made by this Act.

The *South-Sea Company*, in Consideration of the Liberty given them of Increasing their Capital Stock and Fund, (I think to Forty Millions, an immense Sum) by taking in of all the Redeemable Debts, &c. were to pay into the Exchequer, towards discharging the Principal and Interest of such National Debts and Incumbrances, as were incurr'd before the 25th of *December* 1716, the Sum of Four Millions One Hundred and Fifty Thousand Pounds and upwards; and also four Years and a Half's Purchase on the Terms of Annuities that should be taken in by Subscription: For which they were to be paid an Annuity (by weekly or other Payments) out of the Moneys arising by the Publick Duties above mention'd, order'd into the Exchequer for their Use.

To enable the Company immediately to raise the Four Millions and One Hundred and Fifty Thousand Pounds, and the four Years and a Half's Purchase on Annuities, they were empowered

power'd to make Calls of Money upon their Members, to open Books of Subscriptions, or grant redeemable Annuities, or to raise Money by any other Methods they should think fit. And the Company was likewise enabled to borrow Money upon any Contracts, Bills, or Bonds, under their common Seal, or on the Credit of their Capital Stock, at such Rates of Interest for any Time not less than Six Months, as they should think proper, and should be to the Satisfaction of the Lenders.

They were empower'd to take in by Subscription all or any of the Annuities, for long and short Terms of Years, (formerly granted for Money lent to the Crown) as the only Means of paying those Debts and publick Incumbrances.

This is a Part of this Law, enacted by the *Septennial Parliament* : Let us now examine a little into the Use that was made of it. This Act was no sooner pass'd into a Law, but the *South-Sea* Stock considerably advanc'd ; in a few Weeks Time it 'rose from 100, to 200, and 300 p^{r} Cent. Price. This drew a vast Concourse of People of all Ranks and Conditions, to *Exchange-Alley* ; Stars and Garters were here more frequently seen than at Court ; and our Ladies of the greatest Quality abandon'd their Palaces, and promiscuously mixt with Thieves, Stockjobbers, Lords, and Pickpockets : They attended the *Exchange* both Day and Night, to try their Fortunes with a Set of Sharpers ; and for some Time were considerable Gainers by the Stocks.

The

The Directors having observ'd this Success, immediately set on Foot their Money-Subscriptions; The first they took in low, I think at 300 *per Cent.* and finding it full sooner than they expected, they set others on Foot, 'till they came to 1000 *per Cent.* for 100 Pound Stock; and such was the Madness of the People that they ventur'd in all the Subscriptions; but it was in a great Measure owing to the Management of the Directors, who gave it out to be a Favour, that they permitted any to be Subscribers but their Friends; and fill'd up what was wanting with fictitious Names.

These Subscriptions not only rais'd the Stock to almost ten Times its Value, but likewise drew in the Subscribers of Government Annuities; which the Directors also at first made a Favour to them, that happy was the Man (in the then Opinion) who could first Subscribe to his Ruin. Our greatest Men of the Kingdom, for Sense and Abilities, as well as Fortunes, were drawn into it; for we had Statesmen, Judges, and Bishops, who were taken with the Bait, as well as Tinkers, Coblers, and old Women. But when the Subscribers and Buyers of Stock began to consider what they had done, and the great Disproportion between the real Value and the Prices given, they then reflected on their Conduct, and were more fond of Selling out, (especially the Foreigners, here in great Numbers) than ever they were of Buying in, which occasion'd the first Fall of the *South-Sea* Stock.

The

The Directors finding that they had gone too far in taking in Subscriptions, to keep up the Spirit of the People, and the Price of their Stocks, lent to the Proprietors 400 *per Cent.* on their Capital, by which Means They were enabled to purchase further: They made a Declaration of Dividends of 20, 30, and 50 *per Cent.* the latter for the Term of twelve Years, and Cook'd up a fictitious Contract with the Bank, which supported the Stock for some Time longer: But the Price being so very exorbitant, and more than all the Money in *England*, or in *Europe*, could satisfy, if all the Stock were to be sold, which now was the Case, for all would be Sellers, it fell from 1000 *per Cent.* in a very few Months, to 400 and 300, before the Parliament could meet to pass any Law or do any Thing in its Favour.

For the King being Abroad, at *Hanover*, he could not easily quit his *German* Dominions to come to our Assistance, and a Parliament could not well be call'd at this extraordinary Juncture without his Royal Presence: His Majesty's Absence on this Occasion, was a great Misfortune to his Subjects; It was at least three or four Months before the King came over; and by what happen'd in the mean Time, we were sufficiently sensible that the Complaisance shewn to our King by his condescending Parliament, in repealing the Clause in the Act of Succession, which had oblig'd his Majesty's Residence in *England*, was a Complaisance as disagreeable to his People, as it could be acceptable to his Majesty.

But

But when our Parliament met, what did it do for the publick Benefit, and to retrieve Misconducts? Why truly they made several Votes and Resolutions, and order'd a Committee to be appointed, to Enquire into Proceedings, which were succeeded with some Laws for Restoring Publick Credit : But all was too late ; the Mischief was already done, and could not be undone ; instead of raising the Stock, they brought it to 100. And the *South-Sea* Dividends of 30 and 50 *per Cent.* which had been formerly declar'd, were now sunk in their Books to 10, 8, and 7.

The Subscribers for Stock at 1000 and 500, were not now able to go on with their Subscriptions ; they were released by the Parliament ; the *South-Sea* Company had remitted them a great Part of their Debt to the Government, on Condition of allowing additional Stock to Proprietors : But the Subscribers of Government Annuities were obliged to the Terms of 300, when the Stock would not yield 100, and prevented by a Law from asserting their Right at Law in contesting their Subscriptions, which being agreed to on the Side of the Directors only, and not of the Proprietors, as the Statute directed, were in all legal Construction no Subscriptions at all, but a notorious Fraud and Imposition of the Directors, and those employ'd by them.

Instead of Paying the publick Debts, the *South-Sea* Managers brought every Body in Debt, and Ruin upon All Men but themselves : Nay, they did not stick to plunder their dearest Friends and Relations, to raise their own Fortunes ; and those who were not let into the

Secret, were one Day in a Coach, and the next in a Prison, but the latter they were sure of: Strange were the Reverses of Fortune in a very few Weeks; we saw the lowest and most awkward Mechanics surrounded with Equipages, and in the Palaces of Noblemen; and our ancient Gentry destitute of Habitations, and reduc'd to the extremest Poverty.

Suicides and Self-Violences were now become so common, that we seldom had a Week without many Occurrences of News of this kind, besides great Numbers who submitted to their Fate, by pining away with Grief, Penury and Want. This has been the Case of many of the Annuitants, as to whom the publick Faith has been very much broken by the *Septennial* Parliament: The Annuitants could not expect that in an Affair of lending their Money to the Government, and for which our former Parliaments had engaged, that they should be tied down by a Law to their Ruin and Destruction.

But as what I have mention'd is not sufficient to display the whole Scene of Villainy of the *South-Sea* Directors, and others concerned with them, and the several Steps and Proceedings of our Parliament concerning the same, I shall here insert the Resolutions and Orders of the House of Lords and Commons, made and pass'd, relating to the *South-Sea* Managers, and the dreadful Punishment that ensued thereupon.

Resolutions

Resolutions of the Lords and Commons, relating to the South-Sea Directors.

The Lord's Resolutions.

January 13. 1720. After Accompts were order'd to be given, and a Committee to be appointed by the Commons, the Lords first **RESOLVED**, That the Directors in making Loans on their Stock and Suscriptions, were guilty of a Breach of Trust, and ought to make good the Losses which the Company has sustain'd thereby out of their private Estates.

Jan. 16. — **ORDER'D** a Bill to incapacitate the Sub and Deputy-Governor, and Directors of the *South-Sea Company*, from being Directors in any of the three Corporations of the *Bank, India, and South-Sea*.

Jan. 27. — **RESOLV'D**, That the taking in Stock without a valuable Consideration, for any Person in the Administration, during the Time that the Bill of the *South-Sea Company* was depending in Parliament, was a dangerous and notorious Corruption.

February 1. — **RESOLV'D**, That the Directors of the *South-Sea Company* having bought Stock for the Company, under Pretence of supporting Publick Credit, and at the same time gave Orders to sell their own Stock, was a notorious Fraud, and Breach of Trust, and are the Causes of the Turn of Affairs with respect to publick Credit.

The

The Commons Resolutions.

DECember 29. 1720. ORDER'D the Directors of the *South-Sea* Company do lay before the House an Account of the Reasons that induc'd them to take the 3d and 4th Subscriptions at 1000, and to declare the Dividends of 30 and 50 per Cent.

Jan. 4. — RESOLV'D, That a Bill be brought in to prevent the Directors of the *South-Sea* Company going out of the Kingdom, or Disposing of, or Alienating, any part of their Estates; and to make it Felony to depart the Realm, &c.

Jan. 20. — RESOLV'D, That all Subscriptions of publick Debts shall remain in the present State, unless alter'd for the Ease and Relief of the Proprietors, or set aside by due Course of Law.

Feb. 13. — RESOLV'D not to reject the Petition of the *South-Sea* Company, praying to be reliev'd with respect to the Seven Millions, all the Money the *South-Sea* Company was to pay the Government.

Feb. 17. — AGREED to postpone the Payment of the Seven Millions a Year longer.

Feb. 18. — RESOLV'D, That the Loss the *South-Sea* Company may sustain by the Monies lent on Stock and Subscriptions (above Two Millions) shall be made good out of the Estates of the late Sub and Deputy-Governors, and Directors of the said Company: And that the taking in of Stock for any Member

ber of either House, while the *South-Sea* Bill was depending, was a dangerous Corruption.

Feb. 21. — RESOLV'D, That all those Persons who had Stock taken in for them, whilst the *South-Sea* Bill was depending, and paid no Money for it (about Seven hundred thousand Pounds worth) ought to Refund the Difference to the Company. And ordered in a Bill.

Feb. 25. — RESOLV'D, That the Deficiencies of the Payments on the 3d and 4th Subscription (amounting to above a Million) ought to be made good out of the Estates of the Directors; and referr'd to the Secret Committee to proceed in the Affair relating to the Stock taken in whilst the *South-Sea* Bill was depending.

From all these Glorious Resolutions, which discover the most secret and the vilest Frauds of Persons in Power, as well as in Directors of the *South-Sea* Company, we had reason to expect a great deal would be done: That the Directors were to give in Reasons for what they had done; that an adequate Punishment would be inflicted on those who had been guilty of such notorious Corruptions and Breaches of Trust; and who had accepted of Stock while the *South-Sea* Bill was depending, without paying any Money for the same; but instead of it, this mighty Noise vanish'd in Smoak.

'Tis true, Acts of Parliament were made to restrain the Directors of the *South-Sea* Company from going out of the Kingdom; to raise Money out of their Estates; and to disable them

them from holding any Publick Places and Preferments. And the Secret Committee, which was compos'd of some very honest Gentlemen, as the Lord *Molesworth*, *Archibald Hutcheson*, Esq; *Thomas Broderick*, Esq; Sir *Jos. Jekyll*, *Edward Wortley Montague*, Esq; *Edward Jeffreys*, Esq; *Dixey Windsor*, Esq; and several others, by their diligent Enquiries, made a Discovery of vast Quantities of Stock transferr'd to Persons without any apparent Consideration; especially of Fifty Thousand Pounds to a Noble E—l, and considerable Sums to others in the House of Commons, not to mention particularly the Ladies at Court: Yet what did this end in, any further than the acquitting of one Gentleman, and the imprisoning of another? And if the Noble L— was in any manner of Danger from so vigorous a Prosecution, he was afterwards shelter'd by an Act of Indemnity.

This was all that was done by the *Septennial* Parliament, after all this Clamour; but therein, perhaps, they have shewn their Prudence, more than in many other Proceedings; they best knew how far a Charge of this kind might affect their whole Body. And as to the Directors Estates, they gave in Inventories so very inferior to their real Fortunes, that the whole amounted to little more than two Millions; when many of the Directors were very well known to be singly worth near a Million of Money: And yet our Parliament was satisfied with them, and through a great deal of Christian Compassion to these Agents of Iniquity, their Fellow Labourers, allowed them above Three hundred and fifty thousand Pounds

(some

(Some of them their whole Money) out of the
Estimates they had given in.

The Schedules of Estates and Allowances
are as follow.

*A general Inventory or Schedule of the
Estates of the Directors of the South-Sea
Company, as given in by themselves, their
Debts deducted.*

	<i>l.</i>	<i>s.</i>	<i>d.</i>
Sir John Follows, Bar. the } Sub-Governor - - - }	239,596	0	0
Charles Joye, Esq; Deputy- } Governor - - - }	40,105	0	0
William Astell, Esq; Director -	44,051	0	0
Sir Lambert Blackwell, Bar. -	83,529	0	0
Sir John Blunt, Bar. - - -	183,349	0	0
Sir Robert Chaplin, Bar. - -	45,875	0	0
Sir William Chapman, Kt. -	39,161	0	0
Robert Chester, Esq; - - -	140,372	0	0
Stephen Child, Esq; - - -	52,437	0	0
Peter Delaporte, Esq; - - -	17,151	0	0
Francis Eyles, Esq; - - -	34,329	0	0
James Edmonson, Esq; - - -	44,950	0	0
Edward Gibbon, Esq; - - -	105,043	0	0
John Gore, Esq; - - -	38,936	0	0
Sir William Hammond, Kt. -	22,707	0	0
Francis Hawes, Esq; - - -	40,031	0	0
Richard Horsey, Esq; - - -	15,222	0	0
Richard Holditch, Esq; - - -	39,527	0	0
Sir Theodore Janssen, Kt. and } Bar. - - - }	226,278	0	0
Sir Jacob Jacobson, Kt. - - -	50,928	0	0
Arthur Ingram, Esq; - - -	12,100	0	0
Sir John Lambert, Bar. - - -	17,814	0	0

Sir

(48)

Sir Harcourt Master, Kt.	-	11,814	0	0
William Morley, Esq;	-	1,869	0	0
Ambrose Page, Esq;	-	34,817	0	0
Col. Hugh Raymond	-	64,373	0	0
Samuel Read, Jun. Esq;	-	117,297	0	0
Thomas Reynolds, Esq:	-	18,368	0	0
Jacob Sawbridge, Esq;	-	77,254	0	0
William Tillard, Esq;	-	19,175	0	0
John Turner, Esq; (all Directors)		881	0	0
Robert Surman, Deputy Cashier		112,321	0	0
John Grigsby, Accomptant	-	31,687	0	0
Total		2,023,347	0	0

*The Schedule of Allowances to be made the
Directors of the South-Sea Company out
of their Estates.*

	<i>l.</i>	<i>s.</i>	<i>d.</i>
To Sir John Fellows, Sub-Governor	10,000	0	0
To Charles Joy, Esq; the Deputy-Governor	5,000	0	0
To William Astell, Esq; Director	10,000	0	0
To Sir Lambert Blackwell	15,000	0	0
To Sir John Blunt	5,000	0	0
To Sir Robert Chaplin	10,000	0	0
To Sir William Chapman	10,000	0	0
To Robert Chester, Esq;	10,000	0	0
To Stephen Child, Esq;	10,000	0	0
To Peter Delaporte, Esq;	10,000	0	0
To Francis Eyles, Esq;	20,000	0	0
To James Edmondson, Esq;	3,000	0	0
To Edward Gibbon, Esq;	10,000	0	0
To John Gore, Esq;	20,000	0	0
To			

	<i>l.</i>	<i>s.</i>	<i>d.</i>
To Sir <i>William Hamond</i>	10,000	0	0
To <i>Francis Hawes, Esq;</i>	5,000	0	0
To <i>Richard Horsey, Esq;</i>	10,000	0	0
To <i>Richard Holditch, Esq;</i>	5,000	0	0
To Sir <i>Theodore Janssen</i>	50,000	0	0
To Sir <i>Jacob Jacobson</i>	11,000	0	0
To <i>Arthur Ingram, Esq;</i>	12,000	0	0
To Sir <i>John Lambert</i>	5,000	0	0
To Sir <i>Harcourt Master</i>	5,000	0	0
To <i>William Morley, Esq;</i>	1,800	0	0
To <i>Ambrose Page, Esq;</i>	10,000	0	0
To <i>Hugh Raymond, Esq;</i>	30,000	0	0
To <i>Samuel Read, Esq;</i>	10,000	0	0
To <i>Thomas Reynolds, Esq;</i>	14,000	0	0
To <i>Jacob Sawbridge, Esq;</i>	5,000	0	0
To <i>William Tillard, Esq;</i>	15,000	0	0
To <i>John Turner, Esq;</i>	800	0	0
To <i>Robert Surman</i>	5,000	0	0
To <i>John Grigsby</i>	2,000	0	0
Total	354,600	0	0

By these two Schedules, (the first valuing *South-Sea* Stock at 150 per Cent.) it appears how sparing our Directors were in giving in the real Estimates of their Estates; and how truly indulgent to them the *Septennial* Parliament have behaved themselves, at a Time it was expected, and that very justly, that the *South-Sea* Directors would have been Rewarded with Halvers, and not have had Allowances so considerable, as Fifty Thousand Pounds to any one Man, for Ruining their Country.

What I have said, may serve as a short History of the Parliament's Proceedings relating to the *South-Sea* Scheme : I shall now take Notice

rice of the other Statutes made and pass'd in this Session of Parliament, particularly concerning the *Bubbles*.

Besides the Statutes I have mention'd, the following Laws were Enacted. An Act for making forth new Exchequer Bills, not exceeding One Million, at a certain Interest, and for lending the same to the *South-Sea Company*, upon Security of repaying it into the Exchequer, for Uses to which the Fund for lessening the Publick Debts, call'd the Sinking Fund, is applicable. An Act for securing Powers granted by Charters for Assurance of Ships and Merchandize. An Act for Relief of Insolvent Debtors. And another for the building and repairing of Goals. And Acts for making the Rivers, *Idle*, *Douglas*, &c. Navigable.

As to the first of these Laws, I do not admire that the *South-Sea Funds* were call'd by the Names of the Sinking Funds; I take it they have sufficiently Sunk our Pockets: The Statute in favour of the Corporations of Assurances, was granted to raise 600,000 *l.* for the Use of his Majesty, to discharge the Debts of his Civil Government. The Act for Relief of Insolvent Debtors, was the first of the kind that had been made in his Reign, (in other Reigns, Acts of Grace were more frequent) and subjected the Debtors to unusual Hardships: And the Statute for building of Goals, was an Act that was convenient, when our Goals would not contain the Number of Debtors liable to Commitment to our Prisons.

The Statutes for making the Rivers *Idle* and *Douglas* Navigable, were immediately converted into Bubbles; for this being the Year

of

of Bubbles, wherein above one hundred of all Sorts were set up, encouraged by the Grand National Bubble, the *South-Sea*, if a Man had but a House to build, an Elbow Chair, or a Table to make, he was for raising Money upon his Project before any thing was done, and where nothing was intended to be done; and even Necessary Houses were a Bubble amongst the rest, tho' but few of the Proprietors could live upon the Product, when their Money, which should have bought them Provisions, was distributed to the Projectors.

Mines of all Sorts were now the greatest Bubbles; all Persons expected Silver and Gold, Brass and Copper, tho' none could find it in any Situation, but in the Countenances of the Cheats that set them on foot: Yet all of them succeeded a while, 'till by the Clause in the Act for securing to the Corporations for Assurance of Merchandize certain Privileges, they were declared to be Cheats and Publick Nuisances; which at once crush'd them, and gave the *South-Sea* Company the greatest Blow it had then received, tho' it was manifestly design'd for its Service.

The Traders in Exchange-Alley having a greater Advantage in the small Bubbles than in the National one, had employ'd their Money in those, and neglected to deal in the *South-Sea* Stock: And this occasion'd the Clause I have refer'd to; for the *South-Sea* Managers were resolved to have the whole Game of Bubbles (so exceeding profitable) to themselves only: but the Consequence did not answer their Expectation: With the Bubbles, sunk the Stocks,

which the politic Managers could never afterwards rise : People began now to mistrust every Thing, when the Use of Patents was denied ; those who acted in Bubbles erected on Patents, thought they had the same right to proceed, as those that had the Sanction of an Act of Parliament : And it being denied, Publick Credit immediately dwindled, and fell away to nothing ; whereupon the General Calamity soon ensued.

Thus much for the Bubbles, as to their Rise and Overthrow ; which extended to *Scotland* and *Ireland*, as well as to *England* : And the Kingdom of *Ireland* is very much oblig'd to the *Septennial* Parliament for a Law of a different kind from what I have taken notice of. In this Session, a Statute was made for the better securing the Dependency of *Ireland* upon the Crown of *Great Britain* ; wherein it is enacted, That the House of Lords of *Ireland* have not, nor of Right ought to have any Jurisdiction to Judge of, Affirm, or Reverse any Judgment, Sentence or Decree, given, or made in any Court within the said Kingdom ; and that all Proceedings before the said House of Lords, on any such Judgment, Sentence or Decree, shall be null and void to all Intents and Purposes

I presume the Design of this Law was to Aggrandize one House of Lords at the Expence of another ; and tho' I am no Advocate on either Side, I doubt not but the Lords of the Kingdom of *Ireland*, at the Time of passing this Statute, thought it an Infringement on their Rights and Privileges.

In the 6th Session of the *Septennial* Parliament, the Statute was made for Restraining the Directors of the *South-Sea* Company from leaving the Kingdom, for the Space of one Year, that they might be upon the Spot to receive the Doom that was reserved for them, the terrible one I have mention'd, of parting with a quarter Part of their Estates, (a great deal of it return'd them) as an Attonement for the Crimes they had been guilty of, in Cheating a whole Nation, and doing their utmost towards its Destruction: They were now obliged to Deliver, on Oath before one of the Barons of the *Exchequer*, the Inventories of their Real and Personal Estates, such as I have already inserted to their Honour.

The Clause for Allowances to the Directors was now also pass'd, being included in the Statute for vesting their Estates in certain Trustees, viz. Sir *John Eyles*, Sir *Tho. Crosse*, *John Rudge*, *Matthew Lant*, *Roger Hudson*, *Edmond Halsley*, *John Lade*, *Gabriel Roberts*, and *Richard Hopkins*, Esquires, to the Intent to be sold for certain Uses. We had also an Act pass'd this Session, for Raising a Sum not exceeding Five hundred thousand Pounds, by Charging Annuities upon the Civil List Revenues, 'till Redeem'd by the Crown: which shews, that the Civil-List was still in Debt, notwithstanding the extraordinary Provision of the last Session of Parliament.

The further Acts were; for a Land-Tax of 3*s.* in the Pound: For continuing the Duties on Malt, Mum, &c. For Punishing Mutiny and Desertion: To State the Debts of the Army: To Prohibit the Wear of Callicoes in this Kingdom,

Kingdom, out of Respect to the Ladies, it being their Favourite Dress : To Regulate Journeymen Taylors, who having great Employment, in making fine Cloaths for the *South-Sea* Directors, were grown very mutinous : An Act to enable the *South Sea* Company to ingraft Part of their Capital Stock and Fund into the Stock and Fund of the Bank of *England* ; and another Part thereof into the Stock and Fund of the *East-India* Company : A Statute for the Restoration of Publick Credit : An Act for the King's most Gracious, General and Free Pardon : And a Statute for Repealing an Act made in the late Reign, obliging Ships to perform Quarentine ; and for the better Preventing the Plague being brought from Foreign Parts into the Kingdom of *Great Britain*.

The Act for Ingraftment of *South-Sea* Stock into the Stock and Funds of the *Bank of England* and *India Company*, has been an Encouragement to the Directors, and others, to endeavour to force an Ingraftment on those Companies without any Act of Parliament, and without the Consent of the Proprietors of Stock. Mr. *Hopkins*, and some other Gentlemen, on a late Motion in the *South-Sea* House, made extraordinary Speeches, to shew how reasonable it was for an *Englishman* to part with his Estate without his Consent ; and menac'd the Proprietors to comply with his Proposition, for that otherways some Great Persons, in whose Power it was to do them great Injury, would highly resent it. Tho' all would not do, for a General Court carried the Question against them, tho' the Endeavours to obstruct

obstruct it were very extraordinary and unprecedented.

A certain Courtier very much labour'd for this Ingraftment to be made, to lessen the Power of the *South-Sea* Company: He was for bringing the Capital Stock of the three great Companies, as near an Equality as might be, that he might the more easily bring them into all his Schemes, or on their Refusal, Ruin them at his Pleasure. This was foreseen; which occasion'd the Stand that was made, and disappointed, for a Time, the great Expectations of the Person that promoted it.

The Statute relating to Restoring of Credit, I have already observ'd, had a contrary Effect to the Design and Intention of it, for the Reasons I have mention'd: It indeed gave an Addition of Stock to Proprietors, and remitted great Sums due from the *South-Sea* Company to the Government; but at the same time sunk the Price of the Stocks: And what was a little uncommon, to make an Opportunity for Enacting this Law, the *Septennial* Parliament was Prorogued for a Week only, to create a new Session, that they might proceed to tie down the Subscribing Annuitants, after they had voted, That the Subscriptions should remain as they did, unless set aside by due Course of Law; which they could not do without a new Session: So that the Law, by this Act of Parliament, was interrupted in its Course, and the Annuitants forced to accept of Stock which did not amount to above a Third Part in Value of their respective Debts and Annuities.

But there is one good Clause in this Statute, relating to Contracts, at this Time very numerous

merous, and impossible, by the Fall of Stock to be complied with : It Enacted, *That no Special Bail shall be required in any Action brought upon any Contract made since the 1st of December, 1719, and before the 1st of December 1720, for Sale or Purchase of any Subscription or Stock of the South-Sea Company, or any other Company ; and that no Execution shall be awarded upon any Judgment obtain'd in any Action brought upon such Contract, until the End of the next Session of Parliament.*

This Interruption of the Law, was very favourable to a great many Persons ; and, I think, this Clause has been since continued.

In respect to the Act for a General Pardon, it is easily known for whom it was design'd : I have hinted at the Use of this Law, in my Notice of the Punishment of the late *South-Sea* Directors, and others their Confederates. It Enacts, *That all His Majesty's Subjects of Great Britain, their Heirs, &c. shall be Acquitted, Pardoned, and Discharged, from all Treasons, Misprisions of Treasons, Felonies, &c. And all Riots, Routs, Offences, Trespasses, Wrongs, Deceits, Misdemeanors, Forfeitures and Penalties, which are not Excepted, done before the 24th of June, 1721.*

Now, I don't know any Persons that had at this time been guilty of Treason or Felony, to require a Statute of this kind, unless it were the Directors of the *South-Sea* Company, who were under Prosecution, and Excepted out of the Act ; which plainly shews, that this Act was made for no Use at all, or to Skreen some Persons not call'd to Account, from Crimes of another Nature, tho' equal in Consequence.

As

As for the *Quarentine Act*, it being a Statute that has made a very great Noise, more perhaps than any other Law that has been enacted within the Memory of Man, I shall here insert an Abstract of such Parts of the same as are mostly necessary to be communicated to the Publick; and I hope the Length of it will not be a Burden to the Reader.

This Statute enacts, ' That during the Infection, and in all future Times, when any Country or Place shall be Infected with the Plague, all Ships, Persons, Goods and Merchandises, coming in such Ships into any Port in *Great Britain* or *Ireland*, from any Place so Infected, or from any Place, the Inhabitants whereof are known to Trade with any Country actually Infected, or from any Place from whence his Majesty, with the Advice of the Privy-Council, shall judge it probable that the Infection may be brought, shall be obliged to make their *Quarentine* in such Place, for such Time, and in such Manner, as by Proclamation shall be directed and Notified: And 'till such Ship, Persons, or Goods, shall be discharged from Quarentine, no Person or Goods shall be brought on Shoar, or be put on Board any other Ship, in any Place within his Majesty's Dominions, unless by proper Licence: And all such Ships, Persons and Goods, and all Vessels receiving any Goods or Persons out of them, are to be subject to such Orders concerning Quarentine, and the Prevention of Infection, as shall be ordered by Proclamation.

H

' When

' When any Country shall be Infected, and
 ' an Order shall be made and Notified as
 ' aforesaid, concerning Quarentine, as often
 ' as any Ship shall attempt to enter into any
 ' Port, the principal Officer in such Port, or
 ' others authorized to see Quarentine perform-
 ' ed, are to go to such Ship, and at conveni-
 ' ent Distance demand of the Person having
 ' Charge of the same, the Name of the Com-
 ' mander? At what Place the Cargo was taken
 ' on Board? What Places the Ship landed at?
 ' Whether such Places were Infected? How
 ' long the Ship had been in her Passage? How
 ' many Persons were on Board when the Ship
 ' set Sail? Whether any Persons during the
 ' Voyage, had been, or shall be then Infect-
 ' ed? How many died in the Voyage, and
 ' of what Distemper? What Ships he or his
 ' Company went on Board, or had any of their
 ' Company come on Board his Ship? And to
 ' what Place such Ships belong'd? And also
 ' the true Contents of his Lading? And in
 ' case, on the Examination, it appears that
 ' any Person on Board is infected, then the Of-
 ' ficers of any Ships of War, or Forts, or
 ' Garrisons, and all other Officers, &c. on
 ' Notice given to them, are to resist the En-
 ' trance of such Ship into any Port, or to oblige
 ' such Ship to depart, and to use all necessary
 ' Means, by firing of Guns, or any kind of
 ' Force and Violence whatsoever: And if such
 ' Ship shall come from Places visited with the
 ' Plague, or have any Persons or Goods infe-
 ' cted on Board, and the Master or other
 ' Commander shall not discover it, he shall be
 ' guilty of Felony, and suffer accordingly: And

if he shall not make a true Discovery in any of the other Particulars, he shall forfeit 200 *l*.

If any Master shall quit the Ship, or suffer any other so to do, before Quarentine is perform'd ; or shall not, after due Notice, cause the Ship and Lading to be convey'd into the Place appointed for Quarentine, then every such Ship shall be forfeited, and the Master shall also forfeit the Sum of 200 *l*. And if any Persons shall quit the Ship by going on Shoar, or on Board any other Ship, they may by Force and Violence be compelled to return on Board ; and shall be Imprison'd six Months, and likewise be subject to 200 *l*. Forfeiture.

If at any time hereafter, any Place in *Great Britain* or *Ireland*, &c. shall be Infected, and the same shall be made appear to his Majesty in Council, during the Continuance of such Calamity, his Majesty may make such Orders concerning Quarentine, as shall be necessary for the Safety of his Subjects, and Notify the same by Proclamation : And all Persons, Civil and Military, are to render due Obedience to all Orders and Regulations so made and notified.

His Majesty may order Ships to be provided, or cause Lazarets for entertaining Persons Infected, and obliged to perform Quarentine, and Sheds and Tents to be erected, to continue for such Time as his Majesty shall think proper in convenient Places, to be allow'd by Justices of the Peace, in any waste Grounds, &c. And the proper Officers may compel all Persons Infected, or obliged to perform Quarentine, and all Goods

to be conveyed to some of those Ships, Lazarets, or Tents, according to the Orders made and notified.

If any Persons Infected, or obliged to perform Quarentine, shall refuse to repair, after due Notice, to the Places appointed; or having been placed there, shall attempt to escape, the Watchmen may by any kind of Violence, compel them to repair or to Return to such Ship, Lazaret, &c. and such Refusing or Escaping shall be Felony. And if any Persons, not Infected, shall presume to enter any Ship, or Lazaret, whilst any Person Infected, or under Quarentine, shall be therein, and shall return, unless by Licence, then the Watchmen may, by any kind of Violence, compel them to repair into such Ship or Lazaret, there to continue and perform Quarentine; and such Persons returning, shall be guilty of Felony.

If any Place shall be Infected, his Majesty may cause Lines or Trenches to be cast up about such Place, at a convenient Distance, to cut off the Communication between the Place Infected, and the rest of the Country; and prohibit all Persons and Goods to be carried over such Lines, unless by Licence: And if any Person within the Lines shall attempt to come out of the same, the Watchmen, &c. may by any kind of Violence, compel them to return: And Persons coming out of the Lines without Licence, shall be guilty of Felony.

Any two Justices of the Peace, next to the Place where any Ship shall be performing Quarentine, or wherein any Infected Place shall

' shall be situate, or Lines made, may order
 ' the Inhabitants about the same to keep suf-
 ' ficient Watches by Day and Night; who are
 ' not to permit any Persons or Goods to de-
 ' part out or be remov'd from such Lines : And
 ' if any Inhabitant refuse to keep such Watch,
 ' on Conviction thereof he shall forfeit not ex-
 ' ceeding 100 l. nor less than 10 l. at the Dis-
 ' cretion of the Justices, and shall be commit-
 ' ted to Prison for two Months.

' If any Officer of the Customs, or any other
 ' Officer, shall be guilty of any wilful Breach
 ' of Trust, he shall forfeit his Office, and be
 ' Incapacitated, and also forfeit 200 l. And
 ' if any Officer appointed to see Quarentine
 ' perform'd, or any Watchman, shall know-
 ' ingly suffer any Person, Ship, or Goods to
 ' depart, or to be convey'd out of a Town or
 ' Place Infected, he shall be guilty of Felony.

' If it shall appear, that any Ship shall come
 ' from any Place Infected, or be loaden with
 ' any Cargo taken on Board at any Place In-
 ' fected, or from any Ship Infected ; or there
 ' shall be any Persons or Goods on Board actu-
 ' ally Infected, his Majesty by Order of Coun-
 ' cil, may order such Ship, with the Goods,
 ' &c. to be Burnt, for preventing the Spread-
 ' ing of the Infection.

' All Goods, after Quarentine performed,
 ' are to be opened and aired, in such Place,
 ' and for such Time, and in such Manner as
 ' shall be directed by his Majesty's Order :
 ' And on Proof thereof by two Credible Wit-
 ' nesses, before the Customer, or others ap-
 ' pointed, such Goods shall be forthwith dis-
 ' charg'd.

' When

' When a Ship has perform'd Quarentine, on
 ' Proof made upon Oath by the Master
 ' and two Persons belonging to the Ship, and
 ' of two credible Witnesses, that the Ship and
 ' Persons have duly perform'd Quarentine, and
 ' that they are free from Infection, then the
 ' Customer, &c. with two Justices of the Peace,
 ' are to give Certificates thereof, and there-
 ' upon such Ship and Persons shall be liable
 ' to no further Restraint.

These are the most material Clauses in the
 Quarentine Act ; and some of them are so very
 extraordinary, that if our *Protestant* Parliament
 had not exactly copied after *France*, it is im-
 possible they could ever have been thought of.
 In *France*, the poor miserable People visited
 with the Plague, were, by Force and Violence,
 remov'd from their Habitations (the only place
 of Comfort in time of Sicknes) to stinking
 Lazarets, where, by their Removal, and want
 of Necessaries, they soon saw a Period of their
 Lives : And thus it seems were the People of
Great Britain to be serv'd. In *France*, Lines and
 Trenches were cast up, to confine the Distem-
 per and the People within due Bounds, and to
 prevent the bringing them Provisions : and in
England the same Methods were to be taken.
 In *France*, Pest-houses were built, for the Re-
 ception of Persons that should be Infected : and
 here we were to have Barracks erected, tho'
 perhaps for another Purpose ; to wit, to receive
 a standing Army.

The Barbarity and Inconsistency of these
 three Clauses, are so very apparent, that no
 Country, but an Arbitrary Government, could
 possibly

have furnish'd us with Precedents for them : And we may observe, with what Artifice the Statute is penn'd to make them go down. The Statute Enacts, that his Majesty may order Ships, or cause Lazarets to be provided for entertaining Persons infected and oblig'd to perform Quarentine. Here the Word Ship, is put before the Word Lazaret, (which is observ'd throughout the whole Act) to make us understand the Act only related to Quarentine at Sea ; which the Generality of the People believ'd, without knowing or considering rightly, the Meaning of the Word Lazaret, and Pest-house, at Land.

Then the Words Tents, and Sheds, are inserted just before the ordering the opening and airing of Goods ; as if only design'd for those Purposes. But when the Populace were alarm'd with Reports of Designs to build Barracks in several Parts of the Kingdom, to receive Persons infected with the Plague, and the Plague had made its Approaches nearer to us, they then grew uneasy and turbulent, and by their perpetual Clamour against the Contrivers of this Law, at length they got the Clauses Repeal'd.

But it was above a Year, after the Act was granted, that this was done : And after Petitions had been presented to both Lords and Commons, which in one House were rejected, and, at first, by the other House received with very little Notice ; tho' afterwards it was carried, on the repeated Outcries of the People, when a new Election was near approaching, and on duly considering the excellent PROTEST, made by the Lord Cowper, and
others

others, upon Rejecting the Petition of the City of London.

Whether our Parliament pass'd this Law designedly, or not so, is not material to enquire into: That some of them must design it is certain; for certainly all of them could not be ignorant of what they were doing: And if the Generality of our Representatives, by their great Penetration, could not discover the Design of this Law, I think I may say, that the Members of the *Septennial* Parliament, have shewn themselves as remarkable for their Wisdom as their Honesty.

Now I come to the 7th and last Session of this Glorious Parliament. When the Parliament was assembled, the first thing they took into Consideration, was the Charges of the Year, and the Debts of the Nation, of which they order'd Estimates to be given in; particularly of the Navy Debt, and Debts due to the Army. They also order'd Accounts to be laid before them of the Customs, and other Revenues; and seem'd, for some Time, to be pretty warm in calling Persons to Account for Mismanagements.

The L---ds went into a Committee to consider of the Causes of contracting so large a Navy Debt, when every Year Provision had been made for the Navy. Great Debates arose on this Head, at several Meetings, but they came to no Resolution. The L---ds were for having the Treaties with *Spain* laid before them; but this was opposed, and on the Question being put, it was carried against it. They also Resolv'd, that an Address should be presented to his Majesty, for an Account
how

how the *Spanish* Ships of War, taken in the Engagement in the *Mediterranean*, (on our espousing the Cause of the Emperor against *Spain*) had been disposed of: And the Address being presented by the Lords, the Papers were deliver'd them, which not being satisfactory, a Motion was made for a Representation to the King, but it pass'd in the Negative.

By these Negative Proceedings in the Upper House, it was easy to be seen that every Thing here went in favour of the Court, or the Court Favourites: And this manifested itself further, when the Lords rejected, by a very Great Majority, the Petition of the City against the Quarentine A^ct. In the Lower House of Parliament, there appeared the same kind of Spirit; for the Commons had very great Debates before they would order in a Bill for the Repeal of this Statute: There were 75 Members against it, when the House was so thin as not to exceed the Number of 190 on this great Occasion. A List of this Number of 75, and, also several other Lists of this Nature, would be an acceptable Curiosity to the Publick; and there's nodoubt but they will soon be Published.

Upon many Occasions, this Sessions, there were very thin Houses: And tho' frequent Orders were made for a Call of the House, yet it was never once call'd. I don't see to what Purpose our Members of Parliament are elected, if they are not constantly to appear, and sit in the House: And it is undoubtedly, rightly consider'd, a very great Breach of Trust in them, not to be present when any Thing of Importance is transacting in the Senate.

I

But

But to proceed to the Business of the Parliament : They Resolved, That Seven Thousand Seamen should be allow'd for the Service of the Year ; and to continue the Number of Forces of the former Year, *viz.* Fourteen thousand three hundred Men ; they made a Provision for paying them, and granted to his Majesty One Million of Money to discharge the Debts of the Navy. They granted a Land Tax of 2 s. in the Pound, and no more ; continued the Duties on Malt, &c. and made an Act to punish Mutiny and Desertion.

They pass'd a Law to enable his Majesty to Prohibit Commerce with any Kingdom or Country, for the better Prevention of the Plague being brought to us ; at which Time, and not before, the Objection was found out to the Quarentine Act, in the manner I have mention'd : They likewise made a Statute against the Clandestine running of custom'd Goods, and also to prevent the Plague ; which has a Clause in it, 'tis said, disadvantageous to our Merchants. A Bill was now pass'd for the further Encouragement of the Importation of Naval Stores ; for taking off Duties on Merchandize, and annulling the Duties on Soap and Candles ; and for the better suppressing of Pyrates at Sea, which were now very numerous, and grown very formidable.

Amongst other Statutes, a Law was made to empower the *South-Sea* Company to sell so much of their Stock as would enable them to pay their Debts ; tho' the Parliament refus'd to comply with the Petition of the Subscribing Annuitants, praying to be reliev'd by a Distribution of the Two Millions, (in the Hands of the

the Company) which they thought they had reason to expect.

The *Septennial* Parliament also, in this Year, pass'd an Act for altering the Form of the Quakers Affirmation, which, I am inform'd, exempts them from the use of the Word God in their Solemn Declarations: And this was carried in both Houses, notwithstanding the Clergy of the City of *London* petition'd against it; but our Members wanted the Assistance of these People in their Elections, and thought it no great Difficulty to give them a Licence to have nothing to do with that great and awful Power, they had themselves so little concern with.

Next to this, in complaisance to the City, and to do what they could towards the Ruin of it, a Bill was brought into the House for building a Bridge over the Thames at *Westminster*: It seems the Archb---p's Horses had receiv'd great Colds in passing the *Lambeth* Ferry, and to prevent this Mischief, Thousands of People were to be ruin'd at the other End of the Town; but on hearing the Council for the City, and on the very great Clamour made against it, this Bill was dropt.

About this time also a Bill was order'd, to Prohibit the Practice of building Ships for Foreigners; 'tis observable that this was done after a Fleet of Ships of 60 and 70 Guns each, had been built for *France*, under the Notion of *Missippi* Merchant-men, tho' every one knew the manner of Building them, that they were otherways design'd, and that they might some Day meet us to dispute the Empire of the Sea: But this, as it had all along been con-

niv'd at, so now it was only consider'd in the House of Lords, without ever being examin'd into by the House of Commons, to the best of my Remembrance.

The Bill for better securing the Freedom of Elections, was now brought into the House of Commons, on a Motion made by Mr. *Archibald Hutcheson*; and it pretty easily pass'd this House; tho' 'twas generally apprehended, that it was owing to a good Understanding with the House of Lords, and to an Assurance that there it would be rejected, as it was on its second reading: The Lords adjudg'd it incompatible with their Privileges, and therefore threw it out; but to the Honour of some of our Peers be it remember'd, the rejecting this Law was oppos'd, for Protests were enter'd against it, by many noble Lords; tho' Debates arising upon them, the Protests that were made were order'd to be expung'd.

As this Bill, which propos'd the securing to us what is most valuable to a Free-People, the Freedom of our Elections, has many excellent Clauses in it tending to the Suppression of Bribery, from whence is our greatest Danger; I shall insert it at large, whereby the Reader may the better judge of its Use, in case it had pass'd.

*The Copy of a Bill for better securing the
Freedom of Elections of Members to serve
for the Commons in Parliament.*

‘ **F**OR better securing the Freedom of E-
lections of Members, to serve for the
‘ Commons in Parliament, and further regu-
‘ lating such Elections, and for more effectual
‘ preventing corrupt and irregular Practices
‘ and Proceedings, in electing and returning
‘ such Members ; Be it enacted by the King’s
‘ most Excellent Majesty, and with the Ad-
‘ vice and Consent of the Lords Spiritual and
‘ Temporal, and Commons, in this present
‘ Parliament assembled, and by the Authority
‘ of the same, that the Messenger attending
‘ the Great Seal, or other Officer, or Person,
‘ who shall be appointed, employed, or in-
‘ trusted by the Lord Chancellor, Lord Keep-
‘ er, or Lords Commissioners of the Great
‘ Seal, for the time being, to carry, send, or
‘ deliver, any Writ or Writs, to be issued after
‘ the 25th of *March*, 1722, for the Election
‘ of any Member or Members to serve in Par-
‘ liament, for any County, City, Borough,
‘ Town, or Place, within *England, Wales*, or
‘ the Town of *Berwick upon Tweed*, shall de-
‘ liver, or cause such Writ or Writs to be de-
‘ liver’d to the Sheriff, or other proper Offi-
‘ cer, to whom the Execution thereof doth
‘ belong, and to no other Person whatsoever,
‘ within the respective times following, (that
‘ is to say) to such Sheriff or Officer, whose
‘ then Place of Abode shall be within 30 Miles
‘ of

‘ of the City of *Westminster*, within one Day
 ‘ next after the Delivery of such Writ or Writs
 ‘ to such Messenger, Officer, or Person intru-
 ‘ sted as aforesaid; and to such Sheriff, or o-
 ‘ ther Officer, whose then Place of Abode shall
 ‘ be above 30 Miles distant from *Westminster*;
 ‘ and within 60 Miles thereof, within two
 ‘ Days next after the Delivery as aforesaid;
 ‘ and all such Writs shall be so delivered in like
 ‘ Proportion of Time, for any greater Distance
 ‘ than 60 Miles from *Westminster*: And that
 ‘ every Messenger, or Person having or carry-
 ‘ ing any such Writ or Writs, shall not delay
 ‘ the same, but shall be obliged to travel im-
 ‘ mediately therewith with all Expedition,
 ‘ after the rate of 30 Miles every Day at the
 ‘ least, after the Receipt thereof, until the De-
 ‘ livery of the same to the Sheriff, or other
 ‘ proper Officer aforesaid; and any Person
 ‘ wilfully offending in the Premises, shall, for
 ‘ every such Offence, forfeit the Sum of 100 l.
 ‘ of lawful Money of *Great Britain*, to be re-
 ‘ covered and applied in the manner hereafter
 ‘ mentioned.

‘ And be it further enacted, by the Autho-
 ‘ rity aforesaid, that the Messenger, or Person,
 ‘ carrying such Writ or Writs, shall, upon the
 ‘ Delivery thereof to the Sheriff, or proper
 ‘ Officer aforesaid, take a Receipt or Receipts
 ‘ for the same, which Receipt or Receipts the
 ‘ Sheriff, or proper Officer, is hereby required
 ‘ to give *gratis*, expressing the particular Days
 ‘ of the receipt of such Writ or Writs, and the
 ‘ same Receipts shall be delivered by such Mes-
 ‘ senger, into the Office of the Clerk of the
 ‘ Crown, there to be filed and kept.

‘ And

‘ And be it further enacted, by the Authority aforesaid, that all Bonds, Contracts, or Agreements, given or made to any Sheriff, or other Returning Officer, to indemnifie, or save harmless such Sheriff or Returning Officer, for making a Return of any Member to serve in Parliament, or to pay to such Sheriff or Returning Officer, any Sum or Sums of Money, by way of Gratuity or Reward, for making such Return, or otherwise in respect thereof, are hereby declared to be null and void .

‘ And be it further enacted, that every Person giving or making, and every Sheriff or Returning Officer accepting or taking such Bond or Agreement, shall respectively, for every such Offence, forfeit the Sum of One thousand Pounds, to be recovered and applied in manner herein after mentioned, and shall from thenceforth be incapable of holding or executing any Office or Employment of Profit or Trust under the Crown, or of being elected to serve in the House of Commons for any County or Place whatsoever.

‘ And be it further enacted by the Authority aforesaid, That upon every future Election of any Member or Members to serve for the Commons in Parliament, every Elector or Person having, or claiming to have, a Right to vote, or to be polled, at such Election, shall, before he is admitted to poll at the same Election, (if required by any of the Candidates or Electors present) take the following Oath, (or being one of the People called *Quakers*, shall make the solemn Affirmation

‘ mation appointed for *Quakers*) that is to
 ‘ say,

I, A. B. do swear (or affirm) that I have not received, or had, by my self or any other Person whatsoever, directly, or indirectly, any Sum or Sums of Money, Office, Place, Employment, Gift, or Reward, or any Promise or Security for any Money, Office, Employment, Gift, or Reward whatsoever, in order to give my Vote at this Election.

‘ Which Oath, or Affirmation, the Officer or
 ‘ Officers presiding or taking the Poll at such
 ‘ Election is, and are hereby impowered and
 ‘ required (upon such Request) to administer
 ‘ *gratis*, upon pain to forfeit for every Neglect,
 ‘ or Refusal so to do, the Sum of Forty Pounds
 ‘ of lawful Money of *Great Britain*.

‘ ‘ And be it further enacted by the Authority
 ‘ afore said, That if any Person taking the
 ‘ Oath or Affirmation herein before mention’d,
 ‘ shall be guilty of wilful and corrupt Perju-
 ‘ ry, or of false affirming, and be thereof con-
 ‘ victed, he and they for every such Offence,
 ‘ shall incur and suffer the Pains and Penalties
 ‘ which are by Law enacted or inflicted in
 ‘ Cases of wilful and corrupt Perjury; and
 ‘ from and after such Conviction, shall be in-
 ‘ capable of Voting in any Election of any
 ‘ Member or Members to serve for the Com-
 ‘ mons in Parliament.

‘ And be it further enacted by the Authority
 ‘ afore said, That if after the 25th Day of *March*,
 ‘ 1722, any Person or Persons, who by Virtue
 ‘ of his or their Office or Employment, Of-
 ‘ fices

' fices or Employments, shall have the Power
 ' of issuing, or directing the issuing, of any
 ' publick Money or Monies belonging to the
 ' Crown, shall order, give, issue, or promise
 ' to be concerned, in the ordering, giving, is-
 ' suing, or promising any Sum or Sums of
 ' Money belonging to the Crown or the Pub-
 ' lick, to any Person or Persons, in order to
 ' influence the Election or Return of any Mem-
 ' ber, or Members, to serve for the Commons in
 ' Parliament, or the Vote or Votes of any Ele-
 ' ctor or Electors in such Election, every such Of-
 ' ficer, knowing the same to be issued for such
 ' corrupt Purposes, being thereof lawfully con-
 ' victed, shall forfeit the Sum of 1000 *l.* of
 ' lawful Money of *Great Britain*, to be reco-
 ' ver'd and applied as herein after is directed,
 ' and shall be ever after such Conviction, in-
 ' capable of having, holding, enjoying, or ex-
 ' ecuting any Office, Employment, or Place
 ' of Trust or Profit under the Crown, or of
 ' having or receiving any Benefit or Profit ari-
 ' sing by, or from any such Office, Place, or
 ' Employment, or of having any Allowance
 ' or Pension from the Crown whatsoever ; and
 ' shall be also disabled to sit or vote as a Mem-
 ' ber of the House of Commons.

' And be it further enacted by the Autho-
 ' rity aforesaid, That from and after the 25th
 ' of *March* 1722, every Person who shall be
 ' elected a Member of the House of Commons,
 ' for that part of *Great Britain* called *England*,
 ' the Dominion of *Wales*, and Town of *Ber-*
 ' wick upon *Tweed*, or returned as such (ex-
 ' cept the eldest Sons of Peers, or of Persons
 ' qualified to serve as Knights of Shires, and
 ' the

the Members returned to serve for the two
 Universities in that part of *Great Britain*
 (call'd *England*) shall be incapable to vote or
 sit in the said House during any Debate
 there, after their Speaker is chosen, until such
 Member shall have given in to the Clerk of
 the House of Commons, a Paper signed by
 himself, containing a Recital or Particular of
 the Lands, Tenements, and Hereditaments,
 whereby he makes out his Qualification
 required by an Act passed in the 9th Year of
 the Reign of her late Majesty Queen *Anne*,
 (Intituled, *An Act for securing the Freedom of*
Parliaments, by the further qualifying the Mem-
bers to sit in the House of Commons) and of
 such Lands, Tenements, and Hereditaments,
 whereof the Party hath not been in Posses-
 sion, and in actual Perception of the Profits
 for one Year, to his own Use, before the
 Election : He shall also insert in the same
 Paper, from what Person, and by what Con-
 veyance or Act in Law, he claims and de-
 rives the same ; and also the Consideration,
 if any paid, and the Names and Places of
 Abode of the Witnesses to such Conveyan-
 ces and Payment, and until he shall have
 also taken the following Oath, viz. *I, A. B.*
Do swear, that I truly, and Bona Fide, have
an Estate in Law or Equity, to or for my own
Use or Benefit, of, or in Lands, Tenements, or
Hereditaments, (over and above what will satis-
fy and clear all Incumbrances that may affect the
same) of the annual Value of 600 l. above Re-
prizes, which doth qualifie me to be elected and
returned to serve as a Member for the County of
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are of dangerous Consequence. For the preventing the like for the future, Be it declared and enacted by the Authority aforesaid, That all such Separations and Certifications are, and shall be taken and deemed to be illegal, and utterly null and void: And that no Preses or Clerk, or other Person whatsoever, shall presume to return any Person to the Sheriff or Returning Officer (other than, and except the Preses and Clerks chosen in the Place where the Sheriffs Court, or Steward's Court is usually held by the Majority of the Freeholders and Electors, enrolled, and upon Pain to forfeit as in the Case of a false Return.)

And be it further enacted by the Authority aforesaid, That any Sheriff, or other Returning Officer, who shall take upon him to make a Return of any other Person but who is certified to him by the Clerk and Preses of the said Meeting, to have been elected by the Majority of the Freeholders enrolled, shall be liable to forfeit and pay 1000 l. *Sterling*, over and above the Penalties by Law, Entitled upon Returning Officers for making false Returns. And be it further enacted by the Authority aforesaid, that all pecuniary Penalties inflicted by this Act, shall be to the Informer or Prosecutor, who shall prosecute the Offender or Offenders, to Conviction, with full Costs, where such Penalties shall not exceed the Sum of 100 l. And of all other Penalties hereby inflicted, Two Thirds shall be to such Informer or Prosecutor, with full Costs, and the other Third to the Poor of the Parish, or Place where the Offence shall be committed; and the said Penalties shall be

reco-

‘ recovered by Action of Debt, Bill, Plaint, or
 ‘ Information, in any of his Majesty’s Courts
 ‘ of Record at *Westminster*, or before the Lords
 ‘ of the Session in *Scotland* respectively. And
 ‘ in none of the Cases aforesaid, shall any Es-
 ‘ soign, Privilege of Parliament, or other Pri-
 ‘ vilege, Protection, or Wager of Law be gran-
 ‘ ted, or allowed, nor any more than one Im-
 ‘ parlance. Provided always that every Infor-
 ‘ mation, Action, or Prosecution, grounded
 ‘ upon this Act, shall be commenced within
 ‘ the space of one Year, next after the Cause
 ‘ of Action shall arise, or the Offence be com-
 ‘ mitted, and not afterwards.

The first part of this Bill was drawn up upon occasion of a pretended Election for the Borough of *Minehead*, (on a Vacancy there) in favour of Sir *Richard Lane*; who took the Writ from the Person order’d to convey it to the Returning Officer, and kept it in his Pocket till the very Day of Election, and yet he escap’d unpunish’d, though the Messenger directed to carry the Writ was taken into Custody of the Serjeant-at-Arms: The other Parts of this Bill are home against Bribery, False Returns, and the Influence of the Exchequer; and to the utmost strict, as to the Estates and Qualifications of Members of Parliament. Upon the whole, this Bill was gloriously design’d; and I hope to see the Time (though it may not be very soon) when ’twill be enacted into a Law.

Thus I have gone through my Narrative, or History, of the *Septennial Parliament*, the first of its Kind in *Great Britain*; whereby I have demonstrated how truly they have distinguish’d themselves in the making many excellent Laws,
 and

and rejecting of others ; in their steady Attachment to our antient Constitution ; and not altering the same above once in a Session ; in guarding the Rights, Liberties, and Properties of the Subject, like true Watchmen, upon all Emergencies ; in paying of publick Debts, relieving those Persons for whom the Publick Faith was engaged, and the punishing of Cheats and National Robbers ; in easing our Pockets of the Burthen of our Coin, and designing us Barracks for our future Residence ; and lastly, in all these, their Wisdom and Penetration, as well as Justice and Equity ; on all which Accounts, I think, I may say they have vastly exceeded all that ever went before them.

F I N I S.

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